

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:03-CR-12-F

UNITED STATES OF AMERICA

v.

MAURICE CROMRATIE,
Defendant.

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ORDER

This matter is before the court on the *pro se* Motion to Modify Judgment [DE-45] filed by Defendant Maurice Cromratie (“Cromratie”).


On July 21, 2003, Cromratie was sentenced to eighty seven (87) months imprisonment upon a plea of guilty to possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 924, and possession of a firearm not registered in the national firearms registration and transfer record, in violation of 26 U.S.C. §§ 5861(d) and 5871. Cromratie was also ordered to be placed on supervised release for a term of thirty six (36) months upon release from imprisonment. Cromratie was released from custody and his term of supervised release commenced on February 11, 2009. On November 11, 2011, Cromratie was charged with felony possession of a firearm by a felon, misdemeanor carrying of a concealed weapon, and felony possession of cocaine in violation of his supervised release. After a hearing on January 31, 2012, Cromratie’s term of supervised release was revoked, and he was sentenced to imprisonment for a period of twenty four (24) months.

In the instant motion, Cromratie requests that his term of imprisonment be reduced to eighteen (18) months based on his character, past employment history, and the progress he has made while incarcerated. However, the court finds that it lacks the authority to modify Cromratie’s sentence. Pursuant to 18 U.S.C. § 3582(c), there are only very limited circumstances under which

a modification to a term of imprisonment is allowed, including a motion by the Director of the Bureau of Prisons, the Government's Motion for a Reduction of Sentence pursuant to Rule 35 of the Federal Rules of Criminal Procedure, and if the defendant has been sentenced based on a sentencing range that has been subsequently lowered by the Sentencing Commission. *See* 18 U.S.C. § 3582(c). As these scenarios are not applicable to this case, Cromratie's *pro se* Motion to Modify Judgment [DE-45] is **DENIED**.

SO ORDERED.

This the 10th day of July, 2012.



JAMES C. FOX
Senior United States District Judge